

11TH JUDICIAL DISTRICT COURT
COUNTY OF MCKINLEY
STATE OF NEW MEXICO

CITY OF GALLUP, New Mexico, a
municipal corporation,

Plaintiff,

vs.

No. D-1113-CV-2017-00284

PHILLIP HART,

Defendant.

AFFIDAVIT OF MARYANN USTICK

Maryann Ustick, being duly sworn, deposes and states:

1. I am over the age of eighteen and have personal knowledge of the matters stated in this affidavit.
2. I am the Gallup City Manager and act as the chief administrative officer of the City.
3. Among my many duties as City Manager is the employment and discharge of all employees of the City.
4. I have held the City Manager position since August 25, 2014.
5. As Gallup City Manager, the Gallup Police Department is under my direct supervision and the Police Chief reports to me.
6. The Gallup Police Department is presently comprised of sixty certified officers, seven non-certified officers, six community service aides (CSAs), and nine civilian employees.
7. Both CSAs and Gallup certified officers are issued and wear the same Flying Cross Command Uniform Shirts in long sleeve and short sleeve, and pants, as well as black duty jackets. Non-certified officers wear the same uniform.

Exhibit "B"

8. CSAs, like all officers, are required to carry their city issued identification cards and identifying badges. CSA badges are identical to certified officer badges with the exception of the engraving, which for CSAs reads "Protective Custody" and for certified officers reads "Officer."

9. CSAs and all officers are issued expandable batons, chemical agents, handcuffs, radios, flashlights, belt-keepers, and bullet proof vests.

10. The vehicles driven by CSAs are similar to the Gallup police vehicles in that they are painted black and white and have emergency flashing lights installed on the vehicle roofs, and are marked with a distinct vehicle number.

11. Vehicles driven by both CSAs and officers display the markings, "To Serve & Protect," and "www.galluppolice.com." A picture representative of the units driven by our CSAs is attached as Exhibit 1A. Exhibit 1B is a similar CSA unit in the forefront, with a police SUV vehicle in the background. Exhibit 1C is a picture representative of the car units driven by our officers.

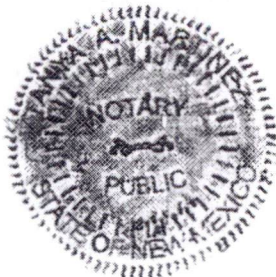
12. The City of Gallup pays the salaries of both CSAs and officers.

Further affiant sayeth naught.

STATE OF New Mexico)
COUNTY OF McKinley)

Maryann Ustick

Subscribed and sworn to me on this 13th day of October, 2017, by Maryann Ustick.



Tina A. Martinez
Notary Public
My commission expires: November 23rd, 2018